

MAINE STATE LEGISLATURE

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October 16, 1961

Barnett I. Shur, Esquire
Shur and Sawyer
443 Congress Street
Portland, Maine

Dear Barney:

We have your letter of October 10 asking for an interpretation of a portion of Chapter 295, section 20-E, Public Laws 1961. This portion reads as follows:

"An accurate and verbatim record of the proceedings before the Land Damage Board shall be kept and shall be furnished to the commission or other interested parties, upon request, and upon payment of a reasonable charge for transcribing and preparing such record."

I would refer you to the first sentence of the sixth paragraph of section 20-E which reads as follows:

"The Board shall appoint and fix the compensation of a reporter, and shall review and approve all charges made by such reporter for transcripts of the record."

It is the opinion of this office that in view of the above provision of the statute that the reporter employed by the Land Damage Board would furnish transcripts to the Highway Commission or other interested parties only upon request and would be paid by them for the transcripts of the records upon approval of his charges by the Board. There seems to be little doubt that this is the intent of the law.

I have talked with L. Smith Dunnack, Assistant Attorney General in the Highway Department, and he is in agreement that the Highway Department should pay the reporter for any transcripts at request; so I think there can be little doubt of this interpretation.

Barnett L. Stur, Esquire

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October 15, 1961

I might say that this office is willing to furnish you with a legal opinion relative to matters concerning the Land Damage Board at any time. However, I shall confine my opinions to that subject and not offer you advice on the running of the City of Portland or other municipalities under your spreading wings.

Sincerely,

George G. West
Deputy Attorney General

GGW:K

cc: L. Smith Bennett, Esquire